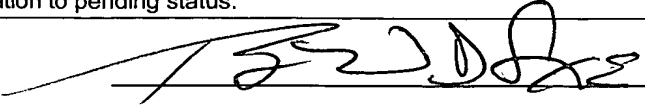




JC17 Rec'd PCT/PTO 11 JUL 2001

FORM PTO-1390 (Modified) (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 072330-0102	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371					
				U.S. APPLICATION NO. (If known (See 37 C.F.R. 1.5)) Unassigned 09/889098	
INTERNATIONAL APPLICATION NO. PCT/DE00/00068		INTERNATIONAL FILING DATE January 11, 2000		PRIORITY DATE CLAIMED January 11, 1999	
TITLE OF INVENTION METHOD FOR INDUCING OR PROMOTING AN ANTHOCYANIN COLORATION IN PLANTS AND/OR FRUIT WHICH BASICALLY PRODUCE ANTHOCYANIN					
APPLICANT(S) FOR DO/EO/US Guenther SCHERER					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.					
2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.					
3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).					
4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19 <sup>th</sup> month from the earliest claimed priority date.					
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)					
6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).					
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made.					
8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).					
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).					
10. <input checked="" type="checkbox"/> A copy of the foreign language annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
11. <input checked="" type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27.					
Items 12. to 17. below concern other document(s) or information included:					
12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
14. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.					
15. <input type="checkbox"/> A substitute specification.					
16. <input type="checkbox"/> A change of power of attorney and/or address letter.					
17. <input type="checkbox"/> Other items or information:					

U.S. APPLICATION NO. <u>097889098</u> Unassigned		INTERNATIONAL APPLICATION NO. PCT/DE00/00068		ATTORNEY'S DOCKET NUMBER 072330-0102	
18. <input checked="" type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS</b>	
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO.....\$860.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$690.00					
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$710.00					
Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1,000.00					
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e))					
Claims	Number Filed		Included in Basic Fee	Extra Claims	Rate
Total Claims	12	-	20	= 0	× \$18.00
Independent Claims	1	-	3	= 0	× \$80.00
Multiple dependent claim(s) (if applicable)					\$270.00
TOTAL OF ABOVE CALCULATIONS =				\$860.00	
Reduction by ½ for filing by small entity, if applicable.				\$0.00	
SUBTOTAL =				\$860.00	
Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f). +				\$130.00	
TOTAL NATIONAL FEE =				\$990.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
TOTAL FEES ENCLOSED =				\$990.00	
				Amount to be: refunded \$	
				charged \$	
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$990.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$0.00 to the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Foley &amp; Lardner Washington Harbour 3000 K Street, N.W., Suite 500 Washington, D.C. 20007-5109</p>			<p> SIGNATURE</p> <p>NAME BERNHARD D. SAXE</p> <p>REGISTRATION NUMBER 28,665</p>		